

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1043 be amended to read as follows:

- 1 Page 2, line 19, reset in roman "IC".
- 2 Page 2, line 26, reset in roman "a waiting period or".
- 3 Page 2, delete lines 28 through 34.
- 4 Page 6, between lines 19 and 20, begin a new paragraph and insert:
- 5 "SECTION 5. IC 22-4-11-1 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. (a) For the purpose
- 7 of charging employers' experience or reimbursable accounts with
- 8 regular benefits paid subsequent to July 3, 1971, to any eligible
- 9 individual but except as provided in IC 22-4-22 and subsection (f),
- 10 such benefits paid shall be charged proportionately against the
- 11 experience or reimbursable accounts of his employers in his base
- 12 period (on the basis of total wage credits established in such base
- 13 period) against whose accounts the maximum charges specified in this
- 14 section shall not have been previously made. Such charges shall be
- 15 made in the inverse chronological order in which the wage credits of
- 16 such individuals were established. However, when an individual's
- 17 claim has been computed for the purpose of determining his regular
- 18 benefit rights, maximum regular benefit amount, and the proportion of
- 19 such maximum amount to be charged to the experience or reimbursable
- 20 accounts of respective chargeable employers in the base period, the
- 21 experience or reimbursable account of any employer charged with
- 22 regular benefits paid shall not be credited or recredited with any
- 23 portion of such maximum amount because of any portion of such
- 24 individual's wage credits remaining uncharged at the expiration of his

benefit period. The maximum so charged against the account of any employer shall not exceed twenty-eight percent (28%) of the total wage credits of such individual with each such employer with which wage credits were established during such individual's base period. Benefits paid under provisions of IC 22-4-22-3 in excess of the amount that the claimant would have been monetarily eligible for under other provisions of this article shall be paid from the fund and not charged to the experience account of any employer; however, this exception shall not apply to those employers electing to make payments in lieu of contributions who shall be charged for all benefit payments which are attributable to service in their employ. Irrespective of the twenty-eight percent (28%) maximum limitation provided for in this section, any extended benefits paid to an eligible individual based on service with a governmental entity of this state or its political subdivisions shall be charged to the experience or reimbursable accounts of the employers, and fifty percent (50%) of any extended benefits paid to an eligible individual shall be charged to the experience or reimbursable accounts of his employers in his base period, other than governmental entities of this state or its political subdivisions, in the same proportion and sequence as are provided in this section for regular benefits paid. Additional benefits paid under ~~IC 22-4-12-4(c)~~ **IC 22-4-12-4(e)** shall:

- (1) be paid from the fund; and
- (2) not be charged to the experience account or the reimbursable account of any employer.

(b) If the aggregate of wages paid to an individual by two (2) or more employers during the same calendar quarter exceeds the maximum wage credits (as defined in IC 22-4-4-3) then the experience or reimbursable account of each such employer shall be charged in the ratio which the amount of wage credits from such employer bears to the total amount of wage credits during the base period.

(c) When wage records show that an individual has been employed by two (2) or more employers during the same calendar quarter of the base period but do not indicate both that such employment was consecutive and the order of sequence thereof, then and in such cases it shall be deemed that the employer with whom the individual established a plurality of wage credits in such calendar quarter is the most recent employer in such quarter and its experience or reimbursable account shall be first charged with benefits paid to such individual. The experience or reimbursable account of the employer with whom the next highest amount of wage credits were established shall be charged secondly and the experience or reimbursable accounts of other employers during such quarters, if any, shall likewise be charged in order according to plurality of wage credits established by such individual.

(d) Except as provided in subsection (f), if an individual:

- (1) voluntarily leaves an employer without good cause in

1 connection with the work; or

2 (2) is discharged from an employer for just cause;

3 wage credits earned with the employer from whom the employee has
4 separated under these conditions shall be used to compute the
5 claimant's eligibility for benefits, but charges based on such wage
6 credits shall be paid from the fund and not charged to the experience
7 account of any employer. However, this exception shall not apply to
8 those employers who elect to make payments in lieu of contributions,
9 who shall be charged for all benefit payments which are attributable to
10 service in their employ.

11 (e) Any nonprofit organization which elects to make payments in
12 lieu of contributions into the unemployment compensation fund as
13 provided in this article is not liable to make the payments with respect
14 to the benefits paid to any individual whose base period wages include
15 wages for previously uncovered services as defined in IC 22-4-4-4, nor
16 is the experience account of any other employer liable for charges for
17 benefits paid the individual to the extent that the unemployment
18 compensation fund is reimbursed for these benefits pursuant to Section
19 121 of P.L.94-566. Payments which otherwise would have been
20 chargeable to the reimbursable or contributing employers shall be
21 charged to the fund.

22 (f) If an individual:

23 (1) earns wages during his base period through employment with
24 two (2) or more employers concurrently;

25 (2) is laid off from work by one (1) of the employers; and

26 (3) continues to work for one (1) or more of the other employers
27 after the end of the base period and continues to work during the
28 applicable benefit year on substantially the same basis as during
29 the base period;

30 wage credits earned with the base period employers shall be used to
31 compute the claimant's eligibility for benefits, but charges based on the
32 wage credits from the employer who continues to employ the individual
33 shall be charged to the experience or reimbursable account of the
34 employer who laid the claimant off.

35 (g) Subsection (f) does not affect the eligibility of a claimant who
36 otherwise qualifies for benefits nor the computation of his benefits.

37 SECTION 2. IC 22-4-11-3 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) Except as
39 provided in section 3.1 of this chapter, the applicable schedule of rates
40 for the calendar year 1983 and thereafter shall be determined by the
41 ratio resulting when the balance in the fund as of the determination
42 date is divided by the total payroll of all subject employers for the
43 immediately preceding calendar year. Schedule A, B, C, or D,
44 appearing on the line opposite the fund ratio in the schedule below,
45 shall be applicable in determining and assigning each employer's
46 contribution rate for the calendar year immediately following the

determination date. For the purposes of this subsection, "total payroll" means total remuneration reported by all contributing employers as required by this article and does not include the total payroll of any employer who elected to become liable for payments in lieu of contributions (as defined in IC 22-4-2-32). For the purposes of this subsection, "subject employers" means those employers who are subject to contribution.

FUND RATIO SCHEDULE

When the Fund Ratio Is:

As Much As	But Less Than	Applicable Schedule
	1.0%	A
1.0%	1.5%	B
1.5%	2.25%	C
2.25%		D

(b) If the conditions and requirements of section 2 of this chapter are met, the rate of contributions shall be determined and assigned, with respect to each calendar year, to employers whose accounts have a credit balance and who are eligible therefor according to each employer's credit reserve ratio. Each employer shall be assigned the contribution rate appearing in the applicable schedule A, B, C, or D on the line opposite his credit reserve ratio as set forth in the rate schedule below:

RATE SCHEDULE FOR ACCOUNTS WITH CREDIT BALANCES

When the Credit Reserve Ratio Is:

As Much As	But Less Than	Rate Schedules (%)			
As	Than	A	B	C	D
3.0		1.2 1.03	0.2 0.17	0.2 0.17	0.2 0.17
2.8	3.0	1.4 1.20	0.4 0.34	0.2 0.17	0.2 0.17
2.6	2.8	1.6 1.38	0.6 0.52	0.2 0.17	0.2 0.17
2.4	2.6	1.8 1.55	0.8 0.69	0.4 0.34	0.2 0.17
2.2	2.4	2.0 1.72	1.0 0.86	0.6 0.52	0.2 0.17
2.0	2.2	2.2 1.89	1.2 1.03	0.8 0.69	0.4 0.34
1.8	2.0	2.4 2.06	1.4 1.20	1.0 0.86	0.6 0.52
1.6	1.8	2.6 2.24	1.6 1.38	1.2 1.03	0.8 0.69
1.4	1.6	2.8 2.41	1.8 1.55	1.4 1.20	1.0 0.86
1.2	1.4	3.0 2.58	2.0 1.72	1.6 1.38	1.2 1.03
1.0	1.2	3.2 2.75	2.2 1.89	1.8 1.55	1.4 1.20
0.8	1.0	3.4 2.92	2.4 2.06	2.0 1.72	1.6 1.38
0.6	0.8	3.6 3.10	2.6 2.24	2.2 1.89	1.8 1.55
0.4	0.6	3.8 3.27	2.8 2.41	2.4 2.06	2.0 1.72
0.2	0.4	4.0 3.44	3.0 2.58	2.6 2.24	2.2 1.89
0	0.2	4.2 3.61	3.2 2.75	2.8 2.41	2.4 2.06

(c) Each employer whose account as of any computation date

occurring on and after June 30, 1984, shows a debit balance shall be assigned the rate of contributions appearing on the line opposite his debit ratio as set forth in the following rate schedule for accounts with debit balances:

RATE SCHEDULE FOR ACCOUNTS
WITH DEBIT BALANCES

When the Debit Reserve Ratio Is:

		Rate Schedules (%)			
As	But				
Much	Less				
As	Than	A	B	C	D
	1.5	4.5 3.870	4.4 3.784	4.3 3.698	4.2 3.612
1.5	3.0	4.8 4.128	4.7 4.042	4.6 3.956	4.5 3.870
3.0	4.5	5.1 4.386	5.0 4.300	4.9 4.214	4.8 4.128
4.5	6.0	5.4 4.644	5.3 4.558	5.2 4.472	5.1 4.386
6.0		5.7 5.400	5.6 5.400	5.5 5.400	5.4 5.400

(d) Any adjustment in the amount charged to any employer's experience account made subsequent to the assignment of rates of contributions for any calendar year shall not operate to alter the amount charged to the experience accounts of any other base-period employers."

Page 9, line 37, reset in roman "waiting period or".

Page 12, line 21, reset in roman "waiting period or".

Delete pages 15 through 19.

ReNUMBER all SECTIONS consecutively.

(Reference is to HB 1043 as printed January 14, 2000.)

Representative Stilwell